

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL ACTION NO. 5:09-CR-00027-RLV-DCK**

**UNITED STATES OF AMERICA,**

**v.**

**BERNARD VON NOTHAUS,**

**Defendant.**

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**IN RE: PETITION OF THOMAS P.  
WEBER**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on the Petition of Thomas P. Weber (Doc. No. 445), which claims ownership of certain assets based on warehouse receipts and electronic Liberty dollars. The Government has moved to grant Petitioner's claims. [Doc. Nos. 764 & 788]. Based on the following, this Court **GRANTS** the Government's motion and hereby **GRANTS** Thomas P. Weber's Petition. *See* [Doc. No. 445]. In support of this Order, the Court **FINDS AS FOLLOWS:**

**WHEREAS**, on November 10, 2014, the Court entered a Memorandum and Order (Doc. No. 270) affirming the jury's verdicts of guilty to Counts One, Two, and Three in the Superseding Bill of Indictment;

**WHEREAS**, on February 25, 2015, the Court entered the Amended (Third) Preliminary Order of Forfeiture (Doc. No. 297) forfeiting certain coins, metals, and other property to the United States;

**WHEREAS**, Petitioner has filed a Petition claiming ownership of certain assets based on warehouse receipts and electronic Liberty dollars – specifically, 2 troy ounces of .999 fine gold,

31.7 ounces of silver based on warehouse receipts and an additional 4,000 ounces of silver based on warehouse receipts and electronic Liberty Dollars;

**WHEREAS**, on August 14, 2015, the United States moved the Court for limited discovery, on August 19, 2015, the Court entered an Order Authorizing Limited Discovery, and thereafter discovery was pursued;

**WHEREAS**, in a partial response to discovery requests by the United States, the Petitioner sent proof to the United States, which changed his claim from 4,000 ounces of silver to 1949.622 ounces of silver (*see* Doc. No. 764-1);

**WHEREAS**, the United States has filed a Motion to Grant the Petition and has argued that Petitioner has satisfied 21 U.S.C. § 853(n)(6);

**NOW, THEREFORE**, good cause having been shown by the United States, and no response being needed from the Petitioner, the Court **ORDERS** that:

1. The Motion of the United States (Doc. Nos. 764 & 788) is **GRANTED** to the extent that Petitioner owns and is entitled to 2 troy ounces of .999 fine gold, 31.7 ounces of silver backed by warehouse receipts, and 1949.622 ounces backed by warehouse receipts and electronic Liberty dollars;
2. Petitioner is **ORDERED** to send the original warehouse receipts to the United States at the address:

United States v. Bernard Von Nothaus  
Attn: Thomas R. Ascik  
Office of the United States Attorney  
100 Otis Street, Room 233  
Asheville, North Carolina 28801; and

3. Distribution of property by the United States to the Petitioner shall not occur until a Final Order of Forfeiture is entered by the Court.

**SO ORDERED.**

Signed: August 2, 2016

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees  
United States District Judge

